

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES—GENERAL

Case No. ED CV 23-1372-DMG (SHKx) Date October 13, 2023

Title *Ernie Garabito v. Lowes Companies, Inc., et al.* Page 1 of 1

Present: The Honorable DOLLY M. GEE, UNITED STATES DISTRICT JUDGE

Kane Tien
Deputy Clerk

Not Reported
Court Reporter

Attorneys Present for Plaintiff(s)
Not Present

Attorneys Present for Defendant(s)
Not Present

**Proceedings: IN CHAMBERS—ORDER TO SHOW CAUSE RE: DISMISSAL FOR
LACK OF PROSECUTION**

Absent a showing of good cause, an action must be dismissed without prejudice if the summons and complaint are not served on a defendant within 90 days after the complaint is filed. See Fed. R. Civ. P. 4(m). Generally, defendant must answer the complaint within 21 days after service (60 days if the defendant is the United States).

In the present case, it appears that these time periods have not been met. Accordingly, the Court, on its own motion, orders plaintiff(s) to show cause in writing on or before **October 23, 2023** why this action should not be dismissed as to defendants Jon Kennaro and Michael Cox for lack of prosecution.

No oral argument of this matter will be heard unless ordered by the Court. The Order will stand submitted upon the filing of a written response on or before the date upon which a response by plaintiff(s) is due. This action will be **dismissed as to defendants Jon Kennaro and Michael Cox** if a written response demonstrating good cause is not filed by the date indicated above.